

REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed January 13, 2005. Reconsideration and allowance of the application and presently pending claims 1-19 are respectfully requested.

1. Present Status of Patent Application

Upon entry of the amendments in this response, claims 1-19 remain pending in the present application. More specifically, claims 1, 3, 5, 9, 11 and 14-19 are amended herewith.

It is believed that the foregoing amendments and additions to the Specification, Title, Abstract and Claims add no new matter to the present application.

2. Review of the Specification

The Office Action at page 5 indicates that "the lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification."

Applicants have made various amendments to the Specification as requested by the Office Action.

3. Amended Title

The Office Action at page 5 indicates that "the title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The following title is suggested: Authenticating Facsimile Documents Using Digital Signatures."

Applicants amend the title to be "Authenticating Facsimile Documents Using Digital Signatures" as suggested by the Examiner.

4. Response to Rejection of Claims 1-12 and 14-19 Under 35 U.S.C. §102(b)

In the Office Action, claims 1-7, 10, 13-14, 24, 27, 30 and 33 stand rejected under 35 U.S.C. §102(b) as allegedly being unpatentable by *Linsker et al.* (U.S. Patent 5,598,473), hereinafter *Linsker*. For a proper rejection of a claim under 35 U.S.C. Section 102, the cited reference must disclose all elements/features/steps of the claim.

See, e.g., *E.I. du Pont de Nemours & Co. v. Phillips Petroleum Co.*, 849 F.2d 1430, 7 USPQ2d 1129 (Fed. Cir. 1988).

a. Independent Claims 1, 9, 18 and 19

In the Office Action, independent claims 1, 9, 18 and 19 stand rejected under 35 U.S.C. §102(b) as allegedly being unpatentable by *Linsker et al.* (U.S. Patent No. 5,598,473), hereinafter *Linsker*.

Applicants respectfully submit that independent claims 1, 9, 18 and 19, as amended, are allowable for at least the reason that *Linsker* does not disclose, teach, or suggest at least the amended features of independent claims 1, 9, 18 and 19. Thus, *Linsker* does not anticipate claims 1, 9, 18 and 19, as amended, and the rejection should be withdrawn.

b. Claims 2-4 and 6-8

Because independent claim 1 is allowable over the cited art of record, dependent claims 2-4 and 6-8 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that the dependent claims 2-4 and 6-8 contain all features/elements of independent claim 1. See, e.g., *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Accordingly, the rejection to these claims should be withdrawn.

c. Claims 10-12 and 14-17

Because independent claim 9 is allowable over the cited art of record, dependent claims 10-12 and 14-17 (which depend from independent claim 9) are allowable as a matter of law for at least the reason that the dependent claims 10-12 and 14-17 contain all features/elements of independent claim 9. Accordingly, the rejection to these claims should be withdrawn.

5. Response to Rejection of Claim 13 Under 35 U.S.C. §103

In the Office Action, claim 13 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Linsker*, in view of *Clark et al.* (U.S. Patent 5,448,045). Because independent claim 9 is allowable over the cited art of record, dependent claim 13 (which depends from independent claim 9) is allowable as a matter

of law for at least the reason that the dependent claim 13 contains all features/elements of independent claim 9. Accordingly, the rejection to this claim should be withdrawn.

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1-19 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,



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